

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OXFORD HEALTH INSURANCE, INC., OXFORD
HEALTH PLANS (NY), INC., UNITED
HEALTHCARE INSURANCE COMPANY OF
NEW YORK, INC. and UNITED HEALTHCARE
SERVICES, INC.,

Civil. Action No.
13-CV-375 (AKH)(KNF)

Plaintiffs,
-against-

**NOTICE OF
CROSS-MOTION**

DANIEL HAMNER, M.D., DANIEL HAMNER
PHYSICIAN, P.C., DANIEL HAMNER, M.D., P.C.,
ALLAN CHRISTOPHER AS EXECUTOR FOR
THE ESTATE OF ANNE M. CHRISTOPHER,
RICHARD HAMNER, ERIKA MACBRIDE,
RAINA HAMNER and RAE BAYMILLER,

**DOCUMENT
ELECTRONICALLY
FILED**

Defendants.
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PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and upon all pleadings and prior proceedings heretofore had herein, Plaintiffs Oxford Health Insurance, Inc., Oxford Health Plans (NY), Inc., United Healthcare Insurance Company of New York, Inc. and United HealthCare Services, Inc. (“Plaintiffs”), by their attorneys, Sedgwick LLP, will move this Court at a date and time designated by the Court, before the Honorable Alvin K. Hellerstein, at 500 Pearl Street, Courtroom 14D, New York, New York 10007, for an Order pursuant to Rule 4(d)(2) of the Federal Rules of Civil Procedure, granting Plaintiffs’ cross-motion for reasonable costs and attorney’s fees incurred in having to formally effectuate service upon Defendant Allan Christopher as Executor for the Estate of Anne M. Christopher (the “Executor”) and attorney’s fees incurred in opposing the Executor’s vexatious motion for reconsideration, and for such other and further relief as the Court deems just and proper.

Dated: New York, New York
October 24, 2013

Respectfully submitted,

SEDGWICK LLP

s/ Michael H. Bernstein

Michael H. Bernstein (MB 0579)

John T. Seybert (JS 5014)

Attorneys for Plaintiffs

OXFORD HEALTH INSURANCE, INC.,

OXFORD HEALTH PLANS (NY), INC.,

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OF NEW YORK, INC., AND UNITED

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CERTIFICATE OF SERVICE

I, Michael H. Bernstein, hereby certify and affirm that a true and correct copy of the attached **NOTICE OF MOTION** was served via ECF on October 24, 2013, upon the following:

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Dated: New York, New York
October 24, 2013

s/ Michael H. Bernstein
MICHAEL H. BERNSTEIN (MB 0579)